

# Planning Board – Town of Spencer

## *Minutes*



Regular Planning Board Meeting  
Tuesday, January 5, 2010 at 7:00 PM  
McCourt Social Hall  
Memorial Town Hall

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The meeting was called to order at 7:00 p.m.

Planning Board Members Present: Chairman Fabio Carrera, Paul Tee, Shirley Shiver, Paul Sauvageau, and Robert Ceppi.

Planning Board Member Absent: None.

Staff present: Adam Gaudette, Town Planner.

### **Old Business:**

**A. Continued of Public Hearing – Sunset Holmes, off Sunset Lane and Holmes Street. Mr. Carrera opened the hearing at 7:05 pm.** Mr. Rick Hill, the owner, had informed Mr. Gaudette that due to the current economy he was unable to move forward with the project. The Bank/Lender was in the process of taking an ownership of the subdivision. Mr. Hill submitted the application to amend the certificate of definitive plan approval – for one year extension request. The Planning Board's public hearing was held on December 15, 2009. Mr. Gaudette gave a brief summary (of that hearing) as follows:

- The recent problem with the detention basin was resolved, the drainage is functioning, and everything is stabilized (according to ConCom).
- Mr. Robert Bernier, who lives within the project, expressed a concern on the plowing. When there was snow last time, Mr. Bernier had to plow it (the connection area) himself. He then asked whether the Town could plow it, and if not, what would happen. Mr. Gaudette explained since the connection area is private owned property and has not been accepted by the Town (at the Annual Town Meeting) as a public road – the project owner is responsible.
- There was no representative from the Bank or the applicant present at first the meeting, the Board then made a motion to continue the hearing to January 5, 2010.

Since the last hearing, Mr. Gaudette has had discussions with Mr. Michael Lussier, from Webster First Federal Credit Union, on the possibility of having the Town plow the area and the Bank reimburse the Town. It is convenient for the Town to plow through Sunset Lane and Holmes

Street. However, the Town has retained a private contractor to do the actual plowing. Mr. Gaudette informed the Board that he will contact Mr. Eben Butler, Foreman of Spencer Highway, to see if all parties involved could work out an agreement. The following are the current conditions and status of the subdivision:

- The transfer of ownership, from Mr. Hill to Webster First Federal Credit Union, was completed in December of 2009.
- 1 single-family home was built and sold and 5 lots are still available for sale.
- Not all roads are open, and also the two cul-de-sacs are not yet open.
- The bond for the existing roadway is in effect until the end of year 2010.

*Note: Mr. Hill and Mr. Lussier are here this evening.*

The Board inquired as to number of lots and units for this subdivision.

Mr. Gaudette stated there are 16 lots in total, with 8 single-family and 8 duplex dwelling (total of 24 units).

The road could only be accepted at Town Meeting as a public road only if it is completed (binding, pavement, and working drainage) and is approved by Utilities and Facilities. The Board then asked whether the connection area could be accepted as “partial road acceptance.”

Mr. Gaudette replied that the idea of “partial road acceptance” is possible. And when all homes are built in this section then the Bank can finish pavement work while continuing working/building the other phase.

Mr. Lussier said that he has been in contact with Ms. Ginny Scarlet (ConCom Agent), has visited the site, and also reviewed the prior work to assure that everything is still in compliance. He addressed that the Bank wishes to finish the subdivision and move forward in a timely fashion.

*Note: For the record there were no abutters for this hearing tonight.*

At this time the Board was reviewing the draft amendment of the decision prepared by Mr. Gaudette.

With no further comments and questions from the Board, Mr. Sauvageau then made a motion to close the hearing at 7:20 p.m. Ms. Shiver seconded the motion and the vote was 5-0 in favor.

Mr. Tee made a motion to grant one year extension on the definitive subdivision plan which was previously approved by the Planning Board on November 14, 2005 and subsequently amended on September 18, 2006 and on December 16, 2008. Ms. Shiver seconded the motion and the vote was 5-0 in favor.

Mr. Gaudette explained that once the decision has been filed with the Town Clerk, staff from ODIS will mail the copy of decision with the instructions to the applicant, and all abutters.

**Approval of Minutes: For December 15, 2009.**

Mr. Sauvageau made a motion to accept the minutes for December 15, 2009. Ms. Shiver seconded the motion and the vote was 4-0 with Mr. Carrera abstaining.

**Other Business: General Board Discussion**

**A. Status of Town Administration Officials.** Mr. Paul Guida, current Town Administrator, informed the Board of Selectmen (BOS) that he is resigning. He will leave the office at the end of February (2010). The BOS has appointed Mr. Gaudette to be an interim-Town Administrator from March to the end of June 2010.

During this period ODIS staff can provide general inquiry information to the public in regards to applications, and regulations pertaining to the Planning Board (PB) and the Zoning Board of Appeals. The Town will obtain a part-time consultant to assist the PB, the ZBA, and ODIS staff on complex issues such as subdivision projects, special permits and variances, etc. Mr. Gaudette said he is also available to help out if needed.

**B. In-House Planning Projects.** Mr. Gaudette and the Board previously had discussions on finishing the previous projects, establishing new projects, and Zoning Bylaws revisions, etc. Due to the above circumstances some of long term projects have to be put on hold such as the Housing Production Plan/Affordable Housing, Master Plan Revisions, and Inclusionary Zoning, etc. Mr. Gaudette then reported the progress of the following planning projects:

- Zoning Bylaw Revision. Mr. Gaudette had reviewed the bylaws with the PB and the ZBA in regards on the Definitions, Site Plan Review, Earth Removal, Common Driveway, and Wind Energy. The proposed bylaws amendments were submitted to the Town at the Fall Town Meeting; the Town voted to accept the amendments.
- Spencer Open Space & Recreation Plan. Mr. Gaudette sent out the surveys “Spencer Open Space Planning” and the results will be available in a near future.
- Downtown Revitalization Process. Mr. Gaudette will continue be involved significantly with the project, coordinating the plan with the consultant and Mr. Robert McNeil, Superintendent, U&F.
- Housing Rehabilitation – CDBG Grant. The Town does not qualify to apply for CDBG grant for this year (2010). The Town must utilize the majority of the awarded grant (2008) prior to a submittal of the new application in February, 2010; and that has not happened.

The Board advised Mr. Gaudette to contact CMRPC for assistance on Planning and Zoning issues during March – June, while Mr. Gaudette is assigned as an interim-Town Administrator. Mr. Gaudette said he would do as the Board suggested.

With no further discussion Mr. Tee made a motion to adjourn the meeting at 8:00 p.m. Ms. Shiver seconded the motion and the vote was 5-0 in favor.

Submitted By:

Approved By:

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Bea Meechan, Senior Clerk  
ODIS

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Fabio Carrera  
Planning Board Chairman